

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANNY SPENCER,

Plaintiff,

v.

FAMILY HEALTH CENTER,

Defendant.

Case No. 1:20-cv-540

HON. JANET T. NEFF

ORDER

This is a civil action that was initially filed by a *pro se* litigant.¹ Defendant filed a Motion to Dismiss (ECF No. 7). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on October 27, 2020, recommending that the motion be granted in part and denied in part, and that Plaintiff be granted twenty-one (21) days to amend his complaint. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Accordingly:

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 12) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Motion to Dismiss (ECF No. 7) is GRANTED IN PART and DENIED IN PART for the reasons set forth in the Report and Recommendation. Specifically, Defendant's motion that Plaintiff's Title VII claims were not timely filed is denied. Defendant's motion that Plaintiff's complaint be dismissed for failure to state a claim is granted.

¹ On September 1, 2020, attorney Roderick Cooks entered an appearance on behalf of Plaintiff.

IT IS FURTHER ORDERED that Plaintiff shall, not later than December 3, 2020, file an amended complaint, if any.

IT IS FURTHER ORDERED that Defendant's answer to the Complaint or any amended complaint shall be filed not later than December 28, 2020.

IT IS FURTHER ORDERED that, the Court having determined that the referral to Magistrate Judge Phillip J. Green is no longer necessary, this matter is no longer referred to Magistrate Judge Green.

Dated: November 12, 2020

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge